

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JAMES MARQUITON BLACK,

Plaintiff,

v.

LORI ALSUM - R.N. - HSU and
DALIA SULIENE - M.D.,

Defendants.

ORDER

09-cv-672-slc

Plaintiff James Black, a prisoner at the Columbia Correctional Institution in Portage, Wisconsin, has submitted a proposed complaint. He requests leave to proceed *in forma pauperis*. A decision on the request will be delayed until plaintiff pays an initial partial payment of the filing fee as required by 28 U.S.C. § 1915(b) and the 1996 Prison Litigation Reform Act. Plaintiff's initial partial payment cannot be calculated at this time because the trust fund account statement he submitted with his complaint does not cover the full six-month period immediately preceding the filing of his complaint.

Plaintiff's complaint was submitted on November 3, 2009. His trust fund account statement should cover the period beginning approximately May 3, 2009 and ending approximately November 3, 2009. Instead, plaintiff's statement covers approximately a two-week period beginning October 1, 2009 and ending October 19, 2009. Therefore, if plaintiff wishes to continue with this lawsuit, he will have to supplement his trust fund account statement with an additional statement covering the full six-month period beginning May 3, 2009 and ending November 3, 2009. Plaintiff should show a copy of this order to prison officials to insure that they are aware they should sent the required trust fund account statement to this court.

ORDER

IT IS ORDERED that plaintiff may have until November 25, 2009, in which to submit a trust fund account statement for the period beginning May 3, 2009 and ending November 3, 2009. If, by November 25, 2009, plaintiff fails to respond to this order, I will assume that he wishes to withdraw this action voluntarily and, in that case, the clerk of court is directed to close this file without prejudice to plaintiff's filing his case at a later date.

Entered this 6th day of November, 2009.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge